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EXAMINER

CHOW, MING

ART UNIT PAPER NUMBER

2645

DATE MAILED: 01/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,116

Applicant(s)

BELL, IAN ANDREW

Examiner

Ming Chow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-35 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 9/6/01 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) Interview Summary (PTO-413) Paper No(s) _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

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Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed “a means for easily attaching” as recited on claims 20 and 31 must be shown or the feature(s) canceled from the claim(s). The claimed “a means for easily attaching” limitation was not disclosed on any figures. No new matter should be entered. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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2. Claims 6, 7 and 32 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The phrase “remote server” of claims 6, 7 and 32 are not disclosed by the specification.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 12, 13, 19, 20, 26 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The terms “easily” and “quickly” are not clearly defined. It is not clear as to how “easy” and how “fast” are considered as “easily” and “quickly”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who

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has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 5, 6, 8, 19, 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Venturini (US-PAT-NO: 5,987,317).

For claims 1, 19 and 31, regarding registering a first message-indicating device for a user, said device comprising an indicator, Venturini teaches on column 2 line 15 “a network with which the user terminal is registered”. Venturini also teaches on column 3 line 10 “this notification is provided to the user via a message displayed on the display of the user terminal”. The “display” of Venturini is the claimed “indicator”. The display and associated circuitries is the claimed “message-indicating device”.

Regarding receiving notification of receipt of a first communication directed to the user, Venturini teaches on column 3 line 6 “in response to receiving the first signal the user terminal notifies the user that at least one message is stored in the voice mailbox”. The “first signal” of Venturini is the claimed “notification of receipt of a first communication”.

Regarding attaching said device to a location from which said indicator can be easily and quickly observed, accessed or manipulated, Venturini teaches on Fig. 2 “mobile terminal”. The

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message-indicating device is attached to the mobile terminal (the claimed location) from which said indicator can be easily and quickly observed, accessed or manipulated.

Regarding initiating a first wireless signal to said device wherein in response to said first signal, said indicator activates to alert the user, Venturini teaches on column 3 line 4 “the message station transmits a first signal”. The “transmits a first signal” of Venturini is the claimed “initiating a first wireless signal”. Venturini teaches on column 3 line 6 “in response to receiving the first signal the user terminal notifies the user that at least one message is stored in the voice mailbox”. The “notifies the user” of Venturini is the claimed “alert the user”.

Regarding claim 5, Venturini teaches on column 10 line 12 “identifier tag information may be included in a registration message”. The “identifier tag” of Venturini is the claimed “identification code”. Venturini also teaches on column 10 line 16 “the identifier tag information in this case may specify, by example, ‘Work Office System’”. Venturini further teaches on column 10 line 31 “the identifier tag information in this case may specify, by example, ‘Public System’”. The “Work Office System” and “Public System” of Venturini are the claimed “one or more types of communications”.

Regarding claim 6, Venturini teaches on column 10 line 26 “stores the identifier tag information in the memory”. The “identifier tag information” of Venturini is the claimed “identification code and said association”. The “memory (of mobile terminal) of Venturini is the claimed “first server”. Venturini also teaches on column 10 line 53 “a menu function is entered which prompts the user to either specify an identifier tag for the public network voice mailbox or

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to indicate that the user does not wish to specify an identifier tag”. The “user to enter” of Venturini is the claimed “configuring”. Venturini further teaches on column 2 line 59 “a user of the user terminal can be notified if there are messages stored in a voice mailbox”. Venturini further teaches on column 13 line 11 “the teaching of this invention may also be employed in other suitable types of communications system.....with the network having a memory storing the messages”.

Regarding claim 8, Venturini teaches on column 2 line 59 “a user of the user terminal can be notified if there are messages stored in a voice mailbox”. The “messages stored in a voice mailbox’ of Venturini is the claimed “voice-mail message”.

5. Claims 26 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Amin (US-PAT-NO: 6,418,307).

For claim 26, regarding receiving notification of a first communication for a first user, Amin teaches on column 5 line 29 “the mobile switching center then receives the voice mail notification”.

Regarding accessing a user profile of the first user, said user profile identifying a set of communication waiting indication devices associated with the first user, wherein each device in said set of devices comprises an indicator, Amin teaches on column 6 line 65 “a mobile station user’s profile stored in the private base station can support additional features like....5.

Telephone answering device/message support”. The “Telephone answering device” of Amin is

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the claimed “communication waiting indication devices”. It is inherent that the communication waiting indication devices must have an indicator.

Regarding attaching each of said devices to a location from which said indicator of each device in said set of devices can be easily and quickly observed, accessed or manipulated, it is inherent that the devices (item 112 “display” of Fig. 2 of Amin) must be attached to a location from which said indicator of each device in said set of devices can be easily and quickly observed, accessed or manipulated as the display is a part of cellular phone. The cellular phone must be attached to a location (for example, user’s belt or pocket) so that the user can easily and quickly access or manipulate.

Regarding identifying a subset of said communication waiting indication devices based on said first communication, Amin teaches on column 8 line 38 “the user of a registered mobile station can have a distinctive ringing sound”.

Regarding initiating a first wireless signal to said subset of devices, wherein in response to said first wireless signal said indicators of said subset of devices are actuated, Amin teaches on column 2 line 49 “this voice mail notification is forwarded to a mobile wireless device”.

Regarding claim 30, Amin teaches on column 6 line 65 “a mobile station user’s profile...2. distinctive alerting”. The “distinctive alerting” of Amin is the claimed “criteria”.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 1 above, and in view of Neustein (US-PAT-NO: 6,418,305).

Regarding claim 2, Venturini failed to teach initiating a second wireless signal to said device; wherein in response to said second signal said indicator deactivates. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “turn off” of Neustein is the claimed “deactivate”. It is inherent that the transmitting station must initiate a (claimed “second”) wireless signal to the pager (claimed “device”) to turn off the indicator. It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the initiating a second wireless signal to said device; wherein in response to said second signal said indicator deactivates as taught by Neustein such that the modified system of Venturini would be able to support the initiating a second wireless signal to said device; wherein in response to said second signal said indicator deactivates to the system users.

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Regarding claim 3, the modified system of Venturini in view of Neustein as stated in claim 2 above failed to teach second wireless signal is initiated after the user accesses said first communication. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “voice message” of Neustein is the claimed “first communication”. It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the second wireless signal is initiated after the user accesses said first communication as taught by Neustein such that the modified system of Venturini would be able to support the second wireless signal is initiated after the user accesses said first communication to the system users.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 1 above, and in view of Schull et al (US-PAT-NO: 5,363,431). Venturini failed to teach indicator deactivates in response to manipulation of the device by the user. However, Schull et al teach on column 5 line 66 “a subscriber location after retrieving any waiting message can then activate the button and deactivate the indicator”. The “activate the button” of Schull is the claimed “manipulation”. It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the indicator deactivates in response to manipulation of the device by the user as taught by Schull et al such that the modified system of Venturini would be able to support the indicator deactivates in response to manipulation of the device by the user to the system users.

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8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 5 above, and in view of Jyogataki et al (US-PAT-NO: 6,192,251). Venturini failed to teach storing said identification code and said association on a first remote server; receiving from the user a selection of one or more criteria identifying when said first signal should be sent in response to receipt of a first type of communication; and configuring said first remote server to automatically initiate said first wireless signal to said device when: it is determined that said first type of communication is received for the user; and said one or more criteria are satisfied. However, Jyogataki et al teach on Fig. 4 “PHS Terminal PS1” and item S14 (Input State)”. The “PHS Terminal PS1” of Jyogataki is the claimed “the user”. The “input state” of Fig. 4 of Jyogataki is the claimed “receiving from the user a selection of one or more criteria”. It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the storing said identification code and said association on a first remote server; receiving from the user a selection of one or more criteria identifying when said first signal should be sent in response to receipt of a first type of communication; and configuring said first remote server to automatically initiate said first wireless signal to said device when: it is determined that said first type of communication is received for the user; and said one or more criteria are satisfied as taught by Jyogataki et al such that the modified system of Venturini would be able to support the storing said identification code and said association on a first remote server; receiving from the user a selection of one or more criteria identifying when said first signal should be sent in response to receipt of a first type of communication; and configuring said first remote server to automatically initiate said first wireless signal to said

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device when: it is determined that said first type of communication is received for the user; and said one or more criteria are satisfied to the system users.

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 5 above, and in view of LuPorta et al (US-PAT-NO: 5,918,158). Venturini failed to teach first communication is an electronic mail message. However, LuPorta et al teach on column 5 line 18 “an electronic mail to a computer”. It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the first communication is an electronic mail message as taught by LuPorta et al such that the modified system of Venturini would be able to support the first communication is an electronic mail message to the system users.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 1 above, and in view of Houggy et al (US-PAT-NO: 5,838,226). Venturini failed to teach registering a second message-indicating device for the user; and initiating said first signal to said second device when said first signal is initiated to said first device. However, Houggy et al teach on column 38 line 36 “transmitting the first signal with the first device to each of the second devices at the same time”. It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the registering a second message-indicating device for the user; and initiating said first signal to said second device when said first signal is initiated to said first device as taught by Houggy et al such that the modified system of Venturini would be able to support the registering a second message-indicating device for the

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user; and initiating said first signal to said second device when said first signal is initiated to said first device to the system users.

11. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 1 above, and in view of Homan et al (US-PAT-NO: 6,317,485). Venturini failed to teach registering a second message-indicating device for the user; and initiating said first signal to said second device when notification of receipt of a second communication directed to the user is received, but not when said notification of said first communication is received. However, Homan et al teach on column 8 line 12 “the message store provider provides the subscriber with a mechanism to identify which types of messages should trigger notification”. The types of messages that do not trigger notification of Homan is the claimed “first communication”. The types of messages that do trigger notification of Homan is the claimed “second communication”. The “notification” of Homan is the claimed “first signal”. Homa et al also teach on column 7 line 11 “additional sub-menu choices corresponding to the available notify choices: paging notify, outcall notify, e-mail notify, lamp notify, and stutter tone notify”. The device of receiving notification of Homan is the claimed “second message-indicating device”. It is inherent that the second message-indicating device must be registered for receiving the notification. It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the registering a second message-indicating device for the user; and initiating said first signal to said second device when notification of receipt of a second communication directed to the user is received, but not when said notification of said first communication is received as taught by Homan et al such that the modified system of Venturini

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would be able to support the registering a second message-indicating device for the user; and initiating said first signal to said second device when notification of receipt of a second communication directed to the user is received, but not when said notification of said first communication is received to the system users.

12. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini, and in view of Neustein (US-PAT'-NO: 6,418,305).

Regarding receiving a communication directed to a user; initiating a first electronic signal to a first message-waiting device associated with the user, wherein said first message-waiting device includes an indicator and said first electronic signal is configured to activate said indicator; attaching said device to a location from which said indicator can be easily and quickly observed, accessed or manipulated; providing said communication to said user, all rejections stated in claim 1 above apply.

Venturini failed to teach after said providing, automatically initiating a second electronic signal to said first message-waiting device, wherein said second electronic signal is configured to deactivate said indicator. However, Neustein teaches on column 14 line 10 "this feature automatically sets a 'voice message' indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station". The "turned off" of Neustein is the claimed "deactivate". It is inherent that the transmitting station must initiate a (claimed "second") wireless signal to the pager (claimed "device") to turn off the indicator.

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It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the after said providing, automatically initiating a second electronic signal to said first message-waiting device, wherein said second electronic signal is configured to deactivate said indicator as taught by Neustein such that the modified system of Venturini would be able to support the after said providing, automatically initiating a second electronic signal to said first message-waiting device, wherein said second electronic signal is configured to deactivate said indicator to the system users.

13. Claims 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini, and in view of Kyte (US-PAT-NO: 6,313,733).

For claim 13, regarding receiving a first wireless signal at a first message-indicating device; attaching said device to a location from which said alarm can be easily and quickly observed, accessed or manipulated; activating in response to said first wireless signal; and deactivating, the rejections stated in claim 1 above apply.

Venturini failed to teach the alarm. However, Kyte teaches on column 3 line 5 "a channel signal light corresponding to the pager....visually indicating which pager's panic button has been activated. An audible alarm is also emitted through a speaker on the transmitter unit".

It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the alarm as taught by Kyte such that the modified system of Venturini would be able to support the alarm to the system users.

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Regarding claim 17, Venturini teaches on column 10 line 12 “identifier tag information may be included in a registration message”. The “identifier tag” of Venturini is the claimed “identification code”. Venturini also teaches on column 10 line 16 “the identifier tag information in this case may specify, by example, ‘Work Office System’”. Venturini further teaches on column 10 line 31 “the identifier tag information in this case may specify, by example, ‘Public System’”. The “Work Office System” and “Public System” of Venturini are the claimed “one of multiple types of communications”.

14. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini and Kyte as applied to claim 13 above, and in view of Neustein (US-PAT-NO: 6,418,305).

Regarding claim 14, Venturini failed to teach deactivating said alarm comprises deactivating said alarm in response to a second wireless signal. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “turn off” of Neustein is the claimed “deactivate”. It is inherent that the transmitting station must initiate a (claimed “second”) wireless signal to the pager (claimed “device”) to turn off the indicator. It would have been obvious to one skilled at the time the invention was made to modify Venturini and Kyte to have the deactivating said alarm comprises deactivating said alarm in response to a second wireless signal as taught by Neustein such that the modified system of Venturini and Kyte would be able

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to support the deactivating said alarm comprises deactivating said alarm in response to a second wireless signal to the system users.

Regarding claim 15, the modified system of Venturini in view of Kyte and further in view of Neustein stated in claim 14 above failed to teach second signal is received after the user accesses said first communication. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “voice message” of Neustein is the claimed “first communication”. It would have been obvious to one skilled at the time the invention was made to modify Venturini and Kyte to have the second signal is received after the user accesses said first communication as taught by Neustein such that the modified system of Venturini and Kyte would be able to support the second signal is received after the user accesses said first communication to the system users.

15. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini and Kyte as applied to claim 13 above, and in view of Schull et al (US-PAT-NO: 5,363,431).

Venturini and Kyte failed to teach deactivating said alarm comprises deactivating said alarm in response to manipulation of the first device by the user. However, Schull et al teach on column 5 line 66 “a subscriber location after retrieving any waiting messages can then activate the button and deactivate the indicator”. The “activate the button” of Schull is the claimed “manipulation”. It would have been obvious to one skilled at the time the invention was made to modify Venturini and Kyte to have the deactivating said alarm comprises deactivating said alarm in

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response to manipulation of the first device by the user as taught by Schull et al such that the modified system of Venturini and Kyte would be able to support the deactivating said alarm comprises deactivating said alarm in response to manipulation of the first device by the user to the system users.

16. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini and Kyte as applied to claim 17 above, and in view of Houggy et al (US-PAT-NO: 5,838,226). Venturini and Kyte failed to teach registering a second message-indicating device for activation in response to receipt of one of said multiple types of communications; receiving a first wireless signal at said second message-indicating device immediately after said receipt of said first wireless signal at said first device, wherein said second device includes an alarm; and activating said alarm of said second device in response to said first wireless signal. However, Houggy et al teach on column 38 line 36 "transmitting the first signal with the first device to each of the second devices at the same time". It would have been obvious to one skilled at the time the invention was made to modify Venturini and Kyte to have the registering a second message-indicating device for activation in response to receipt of one of said multiple types of communications; receiving a first wireless signal at said second message-indicating device immediately after said receipt of said first wireless signal at said first device, wherein said second device includes an alarm; and activating said alarm of said second device in response to said first wireless signal as taught by Houggy et al such that the modified system of Venturini and Kyte would be able to support the registering a second message-indicating device for activation in response to receipt of one of said multiple types of communications; receiving a

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first wireless signal at said second message-indicating device immediately after said receipt of said first wireless signal at said first device, wherein said second device includes an alarm; and activating said alarm of said second device in response to said first wireless signal to the system users.

17. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini, and in view of Neustein (US-PAT-NO: 6,418,305).

For claim 20, regarding a signal receiver configured to receive a first wireless signal generated after receipt of a communication an indicator configured to activate in response to receipt of said first signal; and a means for easily attaching said apparatus to a location where a user can be easily and quickly notified, all rejections stated in claim 1 above apply.

Venturini failed to teach said indicator is configured to deactivate in response to a second signal. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “turn off” of Neustein is the claimed “deactivate”. It is inherent that the transmitting station must initiate a (claimed “second”) wireless signal to the pager (claimed “device”) to turn off the indicator.

It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the said indicator is configured to deactivate in response to a second signal as taught by Neustein such that the modified system of Venturini would be able to support the said indicator is configured to deactivate in response to a second signal to the system users.

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Regarding claim 21, the modified system of Venturini in view of Neustein as stated in claim 20 above failed to teach second signal is a wireless signal. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “turn off” of Neustein is the claimed “deactivate”. It is inherent that the transmitting station must initiate a (claimed “second”) wireless signal to the pager (claimed “device”) to turn off the indicator.

It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the second signal is a wireless signal as taught by Neustein such that the modified system of Venturini would be able to support the second signal is a wireless signal to the system users.

18. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini and Neustein as applied to claim 20 above, and in view of Schull et al (US-PAT-NO: 5,363,431).

Regarding claim 22, Venturini and Neustein failed to teach a switch configured to issue said second signal in response to user manipulation. However, Schull et al teach on column 5 line 66 “a subscriber location after retrieving any waiting messages can then activate the button and deactivate the indicator”. The “activate the button” of Schull is the claimed “manipulation”. It would have been obvious to one skilled at the time the invention was made to modify Venturini and Neustein to have a switch configured to issue said second signal in response to user manipulation as taught by Schull et al such that the modified system of Venturini and

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Neustein would be able to support a switch configured to issue said second signal in response to user manipulation to the system users.

Regarding claim 23, the modified system of Venturini in view of Neustein and further in view of Schull et al as stated in claim 22 above failed to teach indicator comprises said switch. However, Schull et al teach on column 5 line 66 “a subscriber location after retrieving any waiting messages can then activate the button and deactivate the indicator”. The “button” of Schull et al is the claimed “switch”. It would have been obvious to one skilled at the time the invention was made to modify Venturini and Neustein to have the indicator comprises said switch as taught by Schull et al such that the modified system of Venturini and Neustein would be able to support the indicator comprises said switch to the system users.

19. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini and Neustein as applied to claim 20 above, and in view of Kyte (US-PAT-NO: 6,313,733).

Regarding claim 24, Venturini and Neustein failed to teach indicator is a visual indicator. However, Kyte teaches on column 5 line 1 “on a side of each receiver unit is a message indicator light for visually indicating when a message has been recorded”. It would have been obvious to one skilled at the time the invention was made to modify Venturini and Neustein to have the indicator is a visual indicator as taught by Kyte such that the modified system of Venturini and Neustein would be able to support the indicator is a visual indicator to the system users.

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Regarding claim 25, Venturini and Neustein failed to teach indicator is an audible indicator. However, Kyte teaches on column 3 line 8 “an audible alarm is also emitted through a speaker on the transmitter unit”. It would have been obvious to one skilled at the time the invention was made to modify Venturini and Neustein to have the indicator is an audible indicator as taught by Kyte such that the modified system of Venturini and Neustein would be able to support the indicator is an audible indicator to the system users.

20. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amin as applied to claim 26 above, and in view of Neustein (US-PAT-NO: 6,418,305).

Regarding claim 27, Amin failed to teach initiating a second wireless signal to said subset of devices, wherein in response to said second wireless signal said indicators of said subset of devices are de-actuated. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “turn off” of Neustein is the claimed “deactivate”. It is inherent that the transmitting station must initiate a (claimed “second”) wireless signal to the pager (claimed “device”) to turn off the indicator. It would have been obvious to one skilled at the time the invention was made to modify Amin to have the initiating a second wireless signal to said subset of devices, wherein in response to said second wireless signal said indicators of said subset of devices are de-actuated as taught by Neustein such that the modified system of Amin would be able to support the initiating a second wireless signal to said subset of devices, wherein in

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response to said second wireless signal said indicators of said subset of devices are de-actuated to the system users.

Regarding claim 28, the modified system of Amin in view of Neustein as stated in claim 27 above failed to teach second wireless signal is initiated in response to acknowledgement of said first communication by said first user. However, Neustein teaches on column 14 line 10 “this feature automatically sets a ‘voice message’ indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station”. The “voice message” of Neustein is the claimed “first communication”. It would have been obvious to one skilled at the time the invention was made to modify Amin to have the second wireless signal is initiated in response to acknowledgement of said first communication by said first user as taught by Neustein such that the modified system of Amin would be able to support the second wireless signal is initiated in response to acknowledgement of said first communication by said first user to the system users.

21. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amin as applied to claim 26 above, and in view of Kyte (US-PAT-NO: 6,313,733). Amin failed to teach a first device in said subset of devices comprises a switch, the method further comprising: de-actuating said indicator of said first device in response to manipulation of said switch. However, Kyte teaches on column 5 line 7 “the transmitter and receiver units are selectively activated using a power switch and each are powered with a battery means”. It is inherent that the indicator must deactivate in response to manipulation (power switch off or removal of batteries) of the device

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by the user. Kyte further teaches on column 4 line 29 “apparent to those skilled in the art, any number of light means, switches and buttons may be provided without departing from the spirit of the present invention”. It would have been obvious to one skilled at the time the invention was made to modify Amin to have a first device in said subset of devices comprises a switch, the method further comprising: de-actuating said indicator of said first device in response to manipulation of said switch as taught by Kyte such that the modified system of Amin would be able to support a first device in said subset of devices comprises a switch, the method further comprising: de-actuating said indicator of said first device in response to manipulation of said switch to the system users.

22. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 31 above, and in view of Kyte (US-PAT-NO: 6,313,733) and further in view of Jyogataki et al (US-PAT-NO: 6,192,251).

Venturini failed to teach said first communication in response to which said first wireless signal is to be initiated toward said first device. However, Kyte teaches on column 2 line 20 “each discrete frequency transmission signal will communicate with a separate child pager/receiver device”. The “discrete frequency transmission signal” is the claimed “identification code”. The “discrete frequency transmission signal” must be unique in order to separate the communicating pager/receiver device. The “communicate with a separate child pager/receiver device” of Kyte is the claimed “one or more types of communications”. Each type of communication (communicate with a separate pager/receiver of Kyte) must be associated with its identification code.

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Venturini failed to teach a first remote server configured to store said identification code in association with a first user profile for the first user. However, Jyogataki et al teach on Fig. 5 and column 5 line 19 “the recall data includes a caller number for identifying the terminal....the other party ID for identifying the other party , state designation information for designating the state of the other party to be notified in the recall. The “caller number for identifying the terminal” of Jyogataki et al is the claimed “identification”. The “state designation information” of Jyogataki et al is the claimed “association”. The Fig. 5 shows the server where the “caller number for identifying the terminal” and “state designation information” of Jyogataki are stored. The item S40 of Fig. 5 of Jyogataki shows the server is configured to initiate said first wireless signal (recall PHS terminal PS1 of Jyogataki). The server described on Fig. 5 is a remote (relative to the PHS terminal) server.

It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the said first communication in response to which said first wireless signal is to be initiated toward said first device, and a first remote server configured to store said identification code in association with a first user profile for the first user as taught by Kyte and Jyogataki such that the modified system of Venturini would be able to support the said first communication in response to which said first wireless signal is to be initiated toward said first device, and a first remote server configured to store said identification code in association with a first user profile for the first user to the system users.

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23. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 31 above, and in view of Kyte (US-PAT-NO: 6,313,733) and further in view of Houggy et al (US-PAT-NO: 5,838,226).

Venturini failed to teach said alarm of said second device is also activated in response to said first wireless signal. However, Kyte teaches on column 3 line 5 a channel signal light corresponding to the pager...visually indicating which pager's panic button has been activated. An audible alarm is also emitted through a speaker on the transmitter unit.

Venturini failed to teach a second communication waiting indication device associated with the first user, said second device comprising an alarm. However, Houggy et al teach on column 38 line 36 transmitting the first signal with the first device to each of the second device at the same time.

It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the said alarm of said second device is also activated in response to said first wireless signal and a second communication waiting indication device associated with the first user, said second device comprising an alarm as taught by Kyte and Houggy such that the modified system of Venturini would be able to support the said alarm of said second device is also activated in response to said first wireless signal and a second communication waiting indication device associated with the first user, said second device comprising an alarm to the system users.

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24. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 31 above, and in view of Kyte (US-PAT-NO: 6,313,733) and further in view of Homan et al (US-PAT-NO: 6,317,485).

Venturini failed to teach a second message waiting indication device associated with the first user, said second device comprising an alarm. However, Kyte teaches on column 3 line 5 a channel signal light corresponding to the pager....visually indicating which pager's panic button has been activated. An audible alarm is also emitted through a speaker on the transmitter unit.

Venturini failed to teach said alarm of said second device is not activated in response to said first wireless signal. However, Homa et al teach on column 8 line 12 the message store provider provides the subscriber with a mechanism to identify which types of messages should trigger notification. The notification triggered by the types of messages of Homan is the claimed "first wireless signal". The alarm of device (claimed second device) of which receives messages that do not trigger the notification is not activated.

It would have been obvious to one skilled at the time the invention was made to modify Venturini to have a second message waiting indication device associated with the first user, said second device comprising an alarm, and said alarm of said second device is not activated in response to said first wireless signal as taught by Kyte and Homan such that the modified system of Venturini would be able to support a second message waiting indication device associated with the first user, said second device comprising an alarm, and said alarm of said second device is not activated in response to said first wireless signal to the system users.

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25. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venturini as applied to claim 31 above, and in view of Neustein (US-PAT-NO: 6,418,305). Venturini failed to teach said notification server initiates a second wireless signal toward said first device after the first user acknowledges said first communication; and wherein in response to said second wireless signal alarm is deactivated. However, Neustein teaches on column 14 line 10 this feature automatically sets a "voice message" indicator at the pager apparatus. It is subsequently turned off by the transmitting station after the voice message has been retrieved by calling the central station. The "turn off" of Neustein is the claimed "deactivate". It is inherent that the transmitting station must initiate a (claimed "second") wireless signal to the pager (claimed "device") to turn off the indicator. The "voice message" of Neustein of the claimed "first communication". It would have been obvious to one skilled at the time the invention was made to modify Venturini to have the said notification server initiates a second wireless signal toward said first device after the first user acknowledges said first communication; and wherein in response to said second wireless signal alarm is deactivated as taught by Neustein such that the modified system of Venturini would be able to support the said notification server initiates a second wireless signal toward said first device after the first user acknowledges said first communication; and wherein in response to said second wireless signal alarm is deactivated to the system users.

Response to Arguments

26. Applicant's arguments filed on 11/19/02 have been fully considered but they are not persuasive.

- i) Applicant argues, on page 10, regarding amended claims 1, 19 and 31 comprise an “attaching” step and “means to attach”. However, Venturini teaches on Fig. 2 “mobile terminal”. The message-indicating device is attached to the mobile terminal (the claimed location) from which said indicator can be easily and quickly observed, accessed or manipulated.

Applicant also argues, on pages 11-26 regarding claims 2-18, 20-30, 32-35 the same argument as stated above regarding “attaching”. The same response to the argument as stated above applies.

- ii) Applicant argues, on page 11, regarding amended claim 6 to further limit the “first server” to a “first remote server”. However, the “remote server” is not supported and disclosed by the specifications.

Also, applicant argues on page 14 regarding amended claim 7 about the remote server. However, the “remote server” is not supported and disclosed by the specifications.

- iii) Applicant argues, on page 12 regarding claim 30, the Office Action stated on page 20 paragraph 27 rejection by 35 U.S.C. § 103(a). Also, the Office Action stated on page 5

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rejection by 35 U.S.C. § 102 (e). The Examiner drops the 35 U.S.C. § 103(a) rejection and maintains the 35 U.S.C. § 102 (e) rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Patent Examiner

Art Unit 2645

Ming Chow

(M)

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SUPERVISORY PATENT EXAMINER
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